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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/664,235

09/17/2003

Richard W. Molstad

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06/05/2006

Attention: Eric D. Levinson

Imation Corp.

Legal Affairs

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EXAMINER

RENNER, CRAIG A

ART UNIT

PAPER NUMBER

2627

DATE MAILED: 06/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/664,235

Applicant(s)

MOLSTAD ET AL.

Examiner

Craig A. Renner

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2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings were received on 17 September 2003. These drawings are accepted.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Shimizu et al. (JP 61-265767).

With respect to claims 1-11, Shimizu teaches a system comprising double-sided data storage tape (2) comprising first and second opposing sides; a turntable (16); and a head (on 16) mounted on the turntable, wherein the turntable rotates to allow the head to access the first and second sides of the double-sided data storage tape (as shown in FIGS. 1 and 4, for instance) [as per claim 1]; wherein the head accesses the first and second sides by contacting the first and second sides (as shown in FIGS. 1 and 4, for instance) [as per claim 2]; wherein the turntable rotates to position the head in a first position (as shown in FIG. 1, for instance) and a second position (as shown in FIG. 4,

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for instance) [as per claim 3]; wherein the first position of the head comprises approximately 180 degrees of rotation of the turntable relative to the second position of the head (as shown in FIGS. 1 and 4, for instance) [as per claim 4]; wherein the turntable moves relative to a tape path of the data storage tape (as shown in FIGS. 1-4, for instance) [as per claim 5]; wherein the turntable lowers to descend the head below the tape path of the data storage tape (as shown in FIGS. 2 and 3, for instance) [as per claim 6]; wherein the turntable raises to elevate the head into the tape path of the data storage tape (as shown in FIGS. 1-2 and 4, for instance) [as per claim 7]; wherein the system further comprises a set of guides (includes 8-11 and/or 8c-11c, for instance) to facilitate contact of the head with the first and second sides of the data storage tape (as shown in FIGS. 1 and 4, for instance) [as per claim 8]; wherein only a subset of the set of guides contact the data storage tape (includes 8 and 9, or 8c and 11c, for instance) [as per claim 9]; wherein the head comprises a head selected from a group consisting of a magnetic read head, a magnetic write head, a magnetic read/write head, a servo write head, and a servo verify head (line 5 of the "PURPOSE", for instance, i.e., a magnetic read/write head) [as per claim 10]; and wherein the data storage tape comprises tape selected from a group consisting of magnetic tape, magneto-optical tape, optical tape, and holographic tape (line 2 of the "PURPOSE", for instance, i.e., magnetic tape) [as per claim 11].

With respect to claims 12-19, Shimizu teaches a data storage tape drive comprising a head (on 16) mounted on a turntable (16), wherein the turntable rotates to allow the head to access first and second opposing sides (as shown in FIGS. 1 and 4,

for instance) of a double-sided data storage tape (2) [as per claim 12]; wherein the head accesses the first and second sides by contacting the first and second sides (as shown in FIGS. 1 and 4, for instance) [as per claim 13]; wherein the turntable rotates to position the head in a first position (as shown in FIG. 1, for instance) and a second position (as shown in FIG. 4, for instance) [as per claim 14]; wherein the first position of the head comprises approximately 180 degrees of rotation of the turntable relative to the second position of the head (as shown in FIGS. 1 and 4, for instance) [as per claim 15]; wherein the turntable moves relative to a tape path of the data storage tape (as shown in FIGS. 1-4, for instance) [as per claim 16]; wherein the turntable lowers to descend the head below the tape path of the data storage tape (as shown in FIGS. 2 and 3, for instance) [as per claim 17]; wherein the turntable raises to elevate the head into the tape path of the data storage tape (as shown in FIGS. 1-2 and 4, for instance) [as per claim 18]; and wherein the head comprises a head selected from a group consisting of a magnetic read head, a magnetic write head, a magnetic read/write head, a servo write head, and a servo verify head (line 5 of the "PURPOSE", for instance, i.e., a magnetic read/write head) [as per claim 19].

4. Claims 12, 14-16 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Proctor (US 3,169,720).

Proctor teaches a data storage tape drive comprising a head (20, for instance) mounted on a turntable (22), wherein the turntable rotates (line 26 in column 2, for instance) [as per claim 12]; wherein the turntable rotates to position the head in a first

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position and a second position (lines 25-29 in column 2, for instance) [as per claim 14]; wherein the first position of the head comprises approximately 180 degrees of rotation of the turntable relative to the second position of the head (as shown in FIG. 2, for instance) [as per claim 15]; wherein the turntable moves relative to a tape path of the data storage tape (lines 25-29 in column 2, for instance) [as per claim 16]; and wherein the head comprises a head selected from a group consisting of a magnetic read head, a magnetic write head, a magnetic read/write head, a servo write head, and a servo verify head (lines 44-50 in column 1, for instance, i.e., a magnetic read/write head) [as per claim 19]. With respect to the intended use limitation appearing in lines 2-3 of claim 12, note that a recitation with respect to the manner in which a claimed apparatus (i.e., "data storage tape drive") is intended to be employed (i.e., "to allow the head to access first and second opposing sides of a double-sided data storage tape", for instance) does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations, *Ex parte Masham*, 2 USPQ2d 1647 (PTO BPAI 1987).

Response to Arguments


5. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Craig A. Renner whose telephone number is (571) 272-7580. The examiner can normally be reached on Tuesday-Friday 9:00 AM - 7:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa T. Nguyen can be reached on (571) 272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Craig A. Renner
Primary Examiner
Art Unit 2627

CAR